

**GOVERNMENT OF ANDHRA PRADESH**  
**ABSTRACT**

PANCHAYATS – Gudur Gram Panchayat, Miryalaguda Mandal of Nalgonda District – Confirmation of the District Collector (PW), Nalgonda District proceedings issued under section 249(1) of Andhra Pradesh Panchayat Raj Act, 1994 and recovery Orders under the provision of Section 265(1) of A.P.P.R. Act, 1994 for misappropriation of Gram Panchayat Funds - Orders – Issued.

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PANCHAYAT RAJ AND RURAL DEVELOPMENT (PTS.II) DEPARTMENT

**G.O.Rt.NO. 1764**

**DATED 24 -11-2008**

**READ THE FOLLOWING:-**

- 1)From the Dist.Collector (PW),Nalgonda District Proceedings No.251/2007-B1 (Pts), dt 10-07-07.
- 2)W.P. No. 15548 of 2007, dt 24-07-07 of Hon'ble H.C of A.P.
- 3)From the Dist.Panchayat Officer,Nalgonda District,Roc. No.251/2007-B1 (Pts), dt 10-07-08.
- 4)W.P. No. 23392 of 2007, dt 30-06-08 of Hon'ble H.C of A.P.
- 5)Govt.Memo.No.19608/Pts.II/A1/2008, dt.10.9.2008
- 6)Govt. Telegram No. 19608/Pts.II/A1/2008-5,dt 18-09-08.
- 7)From the Dist.Collector (PW),Nalgonda District Proceedings No.251/2007-B1 (Pts), dt 31-10-08

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**ORDER:**

In the reference Ist read above the District Collector (PW), Nalgonda District has removed Sri. P.Laxmaiah from the post of Sarpanch, Gudur Gram Panchayat, Miryalaguda Mandal of Nalgonda District for misuse of powers and misappropriation of Gram Panchayat funds under section 249 (1) of APPR Act, 1994 and also issued recovery orders under section 265(1) under R.R Act.

2. Aggrieved by the said orders, Sri. P.Laxmaiah, Sarpanch (Removed), Gudur Gram Panchayat Miryalaguda Mandal, Nalgonda District has filed an Appeal Petition before the Commissioner, PR &RE, Hyderabad and also filed a W.P. No.15548 of 2007 at the High Court of A.P. against the Proceedings issued vide reference Ist read above. The High Court has stayed the proceedings of the District Collector, Nalgonda District vide reference 2<sup>nd</sup> read above with a direction to consider and dispose of the appeal filed by the petitioner after giving reasonable opportunity to him as expeditiously as possible.

3. In pursuance of the orders of Hon'ble High Court of A.P. dated 13-06-08, the Government have taken up suo-moto Revision of the orders of the District Collector (PW), Nalgonda District and called for the remarks of the District Collector (PW), Nalgonda District on the Appeal Petition filed by Sri. P.Laxmaiah, Sarpanch (Removed), Gudur Gram Panchayat, Miryalaguda Mandal of Nalgonda District vide reference 5<sup>th</sup> read above.

4. The case was heard on 16.9.2008 and 23.9.2008 and both parties have attended for the hearing. The petitioner has argued that he has never mis-used his powers and indulged in misappropriation of Gram Panchayat funds. Whatever the amounts he has drawn from Gram Panchayat funds have been spent for the development works of Gram Panchayat and also for providing civic amenities, if an opportunity is provided to him he will produce all the vouchers and bills. The District Panchayat Officer who was also present has been directed to verify the records duly giving an opportunity to the Sarpanch for production of vouchers and bills and other documents if any to disprove the allegations levelled against him. Accordingly the District Panchayat Officer, Nalgonda by his memo. dated 3.10.2008 has directed the Divisional Panchayat Officer, Miryalaguda to verify the records as per the representation of the Sarpanch dated 27.09.2008 and submit his report.

(P.T.O.)

5. After verification of the records, the District Collector (PW), Nalgonda vide reference 7<sup>th</sup> read above has reported that the Sarpanch has drawn an amount of Rs.63,706/- from 12<sup>th</sup> Finance Commission grants and taken up the works worth Rs.85,830/- without obtaining proper resolution of Gram Panchayat. Though the M.Books records have been produced the works taken up without proper Gram Panchayat resolutions is objectionable. It was also proved that the Sarpanch without obtaining the upset value of the lease of fishery rights of Fish Tank of Gram Panchayat from Divisional Panchayat Officer, Miryalaguda, has leased out the Fishery rights to the Society for a value of Rs.20,000/- and got the amount remitted into Gram Panchayat Funds. Though there is no misappropriation, the procedure adopted by the Sarpanch is objectionable. It was also revealed that the Sarpanch has drawn an amount of Rs.2,05,700/- from the General Funds of Gram Panchayat and incurred an expenditure of Rs.1,59,200/- under various items and has produced the vouchers and bills, out of which an expenditure of Rs.58,248/- is an objectionable expenditure as there is no entries in the Stock Register of the items purchased. In addition to this the Sarpanch has also drawn an amount of Rs.28,000/- by cheque No.422374 dated 8.3.2007 and also an amount of Rs.18,500/- by cheque No.422377 dated 12.3.2007 totalling an amount of Rs.46,500/- and no proof of expenditure was shown. Therefore it was conclusively proved that the Sarpanch has misappropriated an amount of Rs.1,04,743/- from the General Funds of Gram Panchayat. It was also proved that the Sarpanch after his Re-induction as Sarpanch of Gram Panchayat has also indulged in drawal of amounts from Gram Panchayat Funds and misappropriated the same.

6. Government have gone through the records and the arguments made by the petitioner and found that in spite of giving ample opportunity to Sri P.Laxmaiah, Sarpanch, (Removed) Gudur Gram Panchayat, he has failed to submit the proper accounts and records to disprove the allegations levelled against him. Moreover after his removal on the proven irregularities of misappropriation of Gram Panchayat Funds to a tune of Rs.4,01,396/- and when he was again re-inducted as Sarpanch of Gram Panchayat as per the orders of the High Court of A.P. passed in W.P.No.23392 of 2007 was not restrained from doing the same act of Commissions and Omissions and indulged in misappropriation of Gram Panchayat Funds. It amply shows that Sri P.Laxmaiah, has miserably failed to conduct himself as a responsible elected Sarpanch of Gudur Gram Panchayat. It was ultimately proved that an amount of Rs.1,04,743/- to be recovered from Sri P.Laxmaiah besides an amount of Rs.43,874/- which is alleged to have been misappropriated during his Re-induction period. Government after careful consideration and examination found that there is no illegality, irregularity or impropriety in the orders passed by the District Collector (PW) Nalgonda in removing Sri P.Laxmaiah from the post of Sarpanch of Gudur Gram Panchayat. Therefore the orders of District Collector( PW), Nalgonda passed in 251/2007-B1(Pts) dated 9.7.2007 is hereby confirmed and the District Collector(PW), Nalgonda is directed to recover an amount of Rs.1,04,743/- from Sri P.Laxmaiah, under the provisions of RR Act.

7. The District Collector (PW), Nalgonda District is requested to take necessary follow up action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

CHITRA RAMCHANDRAN  
SECRETARY TO GOVERNMENT

To  
Sri P.Laxmaiah, Sarpanch, Gudur Gram Panchayat, Miryalaguda Mandal  
Nalgonda District.  
The District Collector(PW), Nalgonda District  
The Commissioner, PR&RE AP Hyderabad.  
The District Panchayat Officer, Nalgonda District.  
SF/SC

// FORWARDED BY ORDER //

SECTION OFFICER.